

Before the
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Market Dominant Product Prices
Standard Mail
PHI Acquisitions, Inc.

Docket No. MC2014-21

Market Dominant Product Prices
PHI Acquisitions, Inc. (MC2014-21)
Negotiated Service Agreement

Docket No. R2014-6

PUBLIC REPRESENTATIVE'S ANSWER TO POSTAL SERVICE
MOTION FOR LATE ACCEPTANCE
AND MOTION FOR EXTENSION OF COMMENT DEADLINES
(March 27, 2014)

Pursuant to 39 C.F.R. § 3001.21, the Public Representative hereby responds to the Postal Service's Motion for Late Acceptance.¹ The Public Representative contends that interested persons are prejudiced by the Postal Service's failure to file timely responses to Chairman's Information Request Nos. 1 and 2 and respectfully requests that the Commission extend the deadlines for comments and reply comments in these dockets.

On March 7, 2014, the Commission established March 27, 2014, as the deadline for comments in these dockets.² Chairman's Information Requests were issued on March 19, 2014, and March 21, 2014.³ The Postal Service's response to CHIR No. 1 was due March 25, 2014, and its response to CHIR No. 2 was due March 26, 2014. CHIR No. 1 at 1; CHIR No. 2 at 1.

On March 26, 2014, the Postal Service filed a partial response to CHIR No. 1, along with a Motion for Late Acceptance.⁴ On March 27, 2014, the Postal Service filed a partial

¹ Motion of the United States Postal Service for Late Acceptance of Responses to Chairman's Information Request No. 1, March 26, 2014 (Motion for Late Acceptance).

² Order No. 2009, Notice and Order Concerning Addition of PHI Acquisitions, Inc. Negotiated Service Agreement to the Market Dominant Product List, March 7, 2014.

³ Chairman's Information Request No. 1, March 19, 2014 (CHIR No. 1); Chairman's Information Request No. 2, March 21, 2014 (CHIR No. 2).

⁴ Response of the United States Postal Service to Chairman's Information Request No. 1, March 26, 2014; Motion for Late Acceptance 1.

response to CHIR No. 2, along with a Motion for Late Acceptance.⁵ As of the filing of this Answer, the Postal Service has not fully responded to either CHIR. In its Motion for Late Acceptance, the Postal Service contends that no party is prejudiced by the “brief delay” in filing its partial response. Motion for Late Acceptance 1 at 1, Motion for Late Acceptance 2 at 1.

The Public Representative does not oppose the Motion for Late Acceptance. Rather, he requests that the Commission extend the time for filing comments and reply comments to allow interested persons sufficient time to consider the Postal Service’s responses to CHIR Nos. 1 and 2. Without the clarification provided in response to CHIR Nos. 1 and 2, interested persons, including the Public Representative, cannot develop complete initial comments in these proceedings.

The Commission routinely extends comment deadlines to allow interested persons time to prepare comments that take into consideration responses to Chairman’s Information Requests.⁶ The Postal Service itself has recognized that interested persons may require additional time to prepare comments in a docket that includes an extensive response to a Chairman’s Information Request.⁷

The Public Representative respectfully requests that the Commission establish a deadline for initial comments that is two days after the date on which the Postal Service submits a complete response to CHIR Nos. 1 and 2 and a deadline for reply comments that is nine days after the date on which the Postal Service submits a complete response to CHIR Nos. 1 and 2.

⁵ Response of the United States Postal Service to Chairman’s Information Request No. 2, March 27, 2014; Motion for Late Acceptance 2.

⁶ See, e.g., Docket No. R2013-6, Order No. 1708, Order Extending Deadline for Comments, May 1, 2014; Docket Nos. MC2011-19 and R2011-3, Order No. 1684, Order Extending Time for Comment, March 27, 2013; Docket Nos. MC2011-16 and CP2011-53, Order Extending Time for Comments, January 7, 2011.

⁷ Docket No. R2013-6, Response to Order Extending Deadline for Comments, May 2, 2013, at 1.

Docket No. MC2014-21
R2014-6

- 3 -

Respectfully Submitted,

/s/ John P. Klingenberg

John P. Klingenberg
Public Representative

901 New York Avenue, N.W., Suite 200
Washington, DC 20268-0001
(202) 789-6863; Fax (202) 789-6891
e-mail: klingejp@prc.gov